

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON FRIDAY, MARCH 2, 2012 AT 9:30 A.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, COUNTY AUDITOR, DEB VERLEY, ADMINISTRATIVE ASSISTANT, AND PETE FOLEY, COUNTY ATTORNEY, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER.

NORMAN VOYLES CALLED THE MEETING TO ORDER.

CARD PROCESSING AGREEMENT – *Recorder's Office*

Pam Kivett, Morgan County Recorder, was present to request approval of a card processing agreement. This agreement will allow consumers to pay for recording or copy fees using a debit or credit card. Currently, the Recorder's Office is only able to accept payment by cash or check. There is a convenience fee for this service. The county will receive the funds within 24 hours by direct deposit. Don Adams made a motion to approve the card processing agreement. Motion seconded by Brian Goss. Motion carried 3-0.

ECONOMIC DEVELOPMENT CORPORATION AGREEMENT

Jeff Pipkin, Morgan County Economic Development Corporation Assistant Director, presented an agreement for services for 2012. Mr. Pipkin stated that the agreement is basically the same as last year's agreement. Norman Voyles stated that agreement provides that the county will contribute \$50,000 towards economic development in the county. This amount was approved in the 2012 budget. Brian Goss made a motion to approve the agreement. Seconded by Don Adams. Motion carried 3-0.

HILL WATER AGREEMENT

Don Adams stated that this agreement is for the movement of fire hydrants in the dedicated easement for the Landersdale Trail. Pete Foley stated that the easement is from the school corporation and shall be 20 feet of even width adjacent to and parallel to the public right of way. Don Adams stated that there is one fire hydrant that is not in a dedicated easement, but moving it is still being negotiated. The estimated cost for moving the hydrants is \$2,132.48 which is an 80/20 split with the county paying 20% of the cost. Don Adams made a motion to approve the City/County Utility Reimbursement Agreement. Seconded by Brian Goss. Motion carried 3-0.

LAKE EDGEWOOD ROAD REPAIRS

Pete Foley stated that he prepared a memo addressing this issue. The memo states that a landowner has a legal duty and obligation to not impair or diminish the lateral support of an adjoining owner such that there is damage. The road is considered an improvement and Mr. Foley stated that while the county does not own the land fee simple, they have a dedicated roadway and the question comes down to one of negligence. Anyone working upon the land is the agent; it is the landowner that has the liability. Mr. Foley stated that the contractor indicated by letter that they would monitor the drawdown of the lake during the dam repairs and there could be a breach of duty. The damages occurred during the drawdown process and the drawdown was not abated or discontinued when the damages were observed. It would also have to be determined if the drawdown was done to engineering standards. Mr. Foley suggested that the next step would be to issue a letter to put the conservancy district on notice and outlining the Board's position. Brian Goss made a motion to request that the county attorney send a letter to the conservancy district. Seconded by Don Adams. Motion carried 3-0.

HAZARD MITIGATION GRANT

Kenny Hale, Morgan County Planning Director, presented a State-Local Agreement for a Hazard Mitigation Grant Program (FEMA-DR-1828). Mr. Hale stated that it has been awarded and the CDBG matching portion (\$213,445) was signed over a year ago. The grant is for \$853,779. The original submission was for eight properties but there will only be seven properties purchased. The page with this information will be corrected by FEMA. There will not be any cost to the county for this grant. There are two properties in Waverly, two on Lingle Road, one in Willowbrook, and one on Old SR 37. Mr. Hale has submitted two more grants for funds the state had leftover, one that has two homes and one that has three. Brian Goss made a motion to approve the State-Local Agreement. Seconded by Don Adams. Motion carried 3-0.

RED CROSS LEASE RENEWAL

Norman Voyles stated that at the Red Cross has been leasing a portion of the EMA building for several years on an annual basis. The lease is \$500 per month and is up for renewal. Don Adams made a motion to approve the renewal. Seconded by Brian Goss. Motion carried 3-0.

MINUTES

Brian Goss made a motion to approve the minutes of the February 6, 2012 joint meeting and February 20th regular meeting. Seconded by Don Adams. Motion carried 3-0.

CLAIMS

Don Adams made a motion to approve the monthly claims totaling \$1,087,775.62 with one hold for \$1,428.48 pending a Council transfer. Seconded by Brian Goss. Motion carried 3-0.

TORT CLAIM

Brian Goss made a motion to forward the Dalton tort claim to the insurance company. Seconded by Don Adams. Motion carried 3-0.

REQUEST TO USE ADMINISTRATION BUILDING

Norman Voyles stated that this item was tabled from the last meeting. A candidate for office requested the use of the building for a meet the candidate/town hall type meeting. Don Adams suggested that meetings in a county building that involve soliciting or receiving campaign contributions should be prohibited. Mr. Adams stated that he researched policies in other states, but could not find any statutes on the issue. Pete Foley suggested that any costs or expenses incurred by the county or county employees would be reimbursed in addition to any ordinary or customary requirements such as a certificate of insurance. Don Adams made a motion to incorporate the requirements into a policy for the use of the Administration Building. Seconded by Brian Goss. Motion carried 3-0.

REQUEST TO USE COURTHOUSE SQUARE

Norman Voyles stated that the Paragon Conservation Club requested the use of the Courthouse Square on May 5th for a fish fry. They have agreed to work with the Farmer's Market in conjunction with the event. They have also submitted their certificate of insurance. Brian Goss made a motion to approve the request. Seconded by Don Adams. Motion carried 3-0.

REQUEST TO USE ADMINISTRATION BUILDING

Norman Voyles stated that Morgan County Economic Development has requested the use of the Lucille Sadler Room on Thursday, March 29th from 11 am to 2 pm for a manufacturers' roundtable. Don Adams made a motion to approve the request. Seconded by Brian Goss. Motion carried 3-0.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Highway Superintendent, stated that crews are gearing up for the severe weather threat today. They have been cutting trees, filling potholes with cold mix, and ditching. Don Adams asked if the highway department can take a chainsaw crew and help out if there are trees down in severe weather. Mr. Waggoner stated that sometimes the fire departments will come out, but usually the highway crews will take care of it.

SHERIFF / JAIL UPDATE

Norman Voyles stated that the sheriff was not able to attend the meeting and specifically requested that Mr. Waggoner give his report. Mr. Waggoner reported that there are currently 270 inmates at the jail; 235 males and 35 females. Eight inmates are on work release, 4 males and 4 females, and 18 inmates are on the jail corrections crew. There are 19 male DOC inmates. There have been 1,415 calls for service.

ENGINEER UPDATE

Larry Smith, Morgan County Highway Engineer, stated that he is working on a small structure inventory. There are not as many potholes this year as last year.

ADJOURNMENT

Brian Goss made a motion to adjourn the meeting. Seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

Norman Voyles

Brian Goss

Attest:

Brenda Adams, Morgan Co. Auditor

Don Adams